

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT**

Chooseco LLC,)	
)	
)	CIVIL ACTION NO. 2:19-cv-00008
)	
v.)	
)	
Netflix Inc.)	
)	
)	

EVALUATOR'S REPORT

Please select one:

- ☒ First Session Report
- ☐ Second Session Report
- ☐ Third Session Report
- ☐ Corrected/Revised Report
- ☐ Supplemental Report
- ☐ Other

Michael J. Marks, Esquire, the Early Neutral Evaluator, reports pursuant to Local Rule 16.1 (j) on the ENE session in this matter as follows:

(j)(1)(A):	Date of session:	Start time:	Finish time:
	Via Zoom videoconference		
	Oct. 15, 2020	10:00 a.m.	8:40 p.m.
(j)(1)(B):	Names of attendees:	Role:	Settlement authority: (check only where applicable)

Mediation was conducted by zoom videoconference

Shannon Gilligan	Plaintiff Representative	X
Melissa Bounty	Plaintiff Representative	
Shapleigh Smith, Esq.	Counsel for Plaintiff	
Kendall Hoechst, Esq.	Counsel for Plaintiff	
Wade Gentz, Esq.	Counsel for Defendant	X
Charles Henn, Esq.	Counsel for Defendant	

Robert Hemley, Esq.

Counsel for Defendant

(j)(1)(C): Substitute arrangements regarding attendance: N/A

(j)(1)(D): Date parties' Evaluation Statements received by Evaluator:

Early neutral evaluation statements were filed in a timely manner and allowed for adequate preparation by the evaluator.

(j)(1)(E): Oral presentations: By all Parties.

(j)(1)(F): Results of session:

(j)(1)(F)(i): ☒ Full settlement

☐ Partial settlement

☐ No Settlement

(j)(1)(F)(ii): Stipulation to narrow the scope of dispute: _____N/A

(j)(1)(F)(iii): Agreement to limit discovery, facilitate future settlement, or otherwise reduce cost and delay related to trial preparation:

Scheduling another ENE session: ☐ Yes ☐ NO

Other comments: (please refer to L.R. 16.1 (j)(2)):

Dated at Middlebury, Vermont on this 28th day of November, 2020.

S/Michael Marks

Michael J. Marks, Esq.
Evaluator

